

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 17, 2009

DEPARTMENT: NEIGHBORHOOD SERVICES**DIRECTOR: STEPHEN K. HARSIN**☐ **Consent** ☒ **Discussion****SUBJECT:**

Public Hearing to consider the report of expenses to recover costs for abatement of nuisance located at 5377 Royal Castle Lane in the amount of \$2,889.20 (General Fund) and assess a maximum of \$45,200 in daily civil penalties. PROPERTY OWNER: IMELDA E. GALANGA - Ward 6 (Ross)

Fiscal Impact☐**No Impact**☐**Augmentation Required**☒**Budget Funds Available****Amount:** \$2,889.20**Funding Source:** General Fund**Dept./Division:** Neighborhood Services/Response**PURPOSE/BACKGROUND:**

The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed the Department of Neighborhood Services hired Levelex Inc. remove refuse and waste from side and rear yards and high weeds from front and side yards. To date, there have been seven (7) inspections conducted at this location. The value of the property based on the sale date of October 2006 was \$297,000.

RECOMMENDATION:

That the City Council: Approve the report of expenses to include \$448 invoice for Levelex Inc. services in addition to other fees assessed for a total of \$2,889.20 and consider assessing a maximum of \$45,200 in daily civil penalties.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Maps
3. Report of Expenses
4. Contractor Disclosure
5. Notice of Public Hearing
6. Chronological List of Events
7. Copy of the Notice and Claim of Lien

Motion made by STEVEN D. ROSS to Approve an assessment of \$2,889.20 and civil penalties of \$45,200

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1

LOIS TARKANIAN, STEVE WOLFSON, OSCAR B. GOODMAN, GARY REESE, STEVEN D. ROSS, STAVROS S. ANTHONY; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-RICKI Y. BARLOW)

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Minutes:

MAYOR GOODMAN declared the Public Hearing open.

The property owner was not present.

A videotape was shown, but a copy was not submitted.

DEVIN SMITH, Manager of Neighborhood Response, read the Purpose/Background and Recommendation sections.

MR. SMITH informed COUNCILMAN ROSS that staff has had several phone conversations with MS. IMELDA E. GALANGA and noted all certified mail were returned. Each of the limited liability corporations (LLCs) that had owned the property were somehow linked to MS. GALANGA and suggested that she changes the name of the LLC that owns the property to avoid paying the abatement costs. MR. SMITH stated that MS. GALANGA has made no attempt to address the property's condition.

In response to COUNCILMAN WOLFSON'S suggestion to speed up the abatement process, MAYOR GOODMAN stated that staff's efforts to do so had not been productive. He stressed that the City needs the money that it spends on these properties. CITY ATTORNEY BRAD JERBIC assured the Council that staff would work on the issue.

COUNCILMAN WOLFSON recommended that staff find a way to improve communications between the City and the banks and MR. SMITH stated that he would research approaches used in other municipalities. MR. SMITH explained that the banks' refusal to sell blighted and abandoned properties makes the abatement process more difficult.

COUNCILWOMAN TARKANIAN concurred with MAYOR GOODMAN'S remarks and expressed surprise that the banks continue to neglect these properties after receiving significant funds from the federal government. She acknowledged that some banks and mortgage companies are cooperating with the City.

DEPUTY CITY MANAGER ORLANDO SANCHEZ noted that the City has the right to make improvements to blighted and abandoned properties. MR. SMITH explained that staff had been doing more of that in the past, but had stopped due to budget constraints and the delay in collecting the liens. COUNCILMAN ANTHONY directed staff to make the necessary improvements to these properties, regardless of the cost.

COUNCILMAN WOLFSON suggested letting homeowners associations (HOAs) address these properties. STEPHEN HARSIN, Director of Neighborhood Services, stated that 25 to 30 percent of the homes in the City have HOAs which sometimes have more power than the City. MAYOR GOODMAN observed that the City's HOAs are experiencing financial difficulties as their members are struggling to pay their dues.

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MAYOR GOODMAN declared the Public Hearing closed.